

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JOVAN CHANDRE PAYNE,

Petitioner,

Case Number: 06-CV-10918

v.

HONORABLE PATRICK J. DUGGAN

THOMAS E. JACKSON,

Respondent.

OPINION AND ORDER

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on _May 1, 2006.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

Plaintiff Jovan Chandre Payne filed a *pro se* civil rights complaint on March 10, 2006. Plaintiff, who is a state prisoner, failed to pay the \$250 filing fee for a civil action or apply to proceed in forma pauperis in the manner required by the Prison Litigation Reform Act, 28 U.S.C. § 1915(a).¹ The Court, therefore, issued an Order to Correct Deficiency (“Deficiency Order”), on March 13, 2006. The Deficiency Order required Plaintiff to submit the \$250.00 filing fee or file the documents required under Section 1915(a) (i.e., an Application for Prisoner to Proceed Without Prepayment of Fees and

¹ Effective April 9, 2006, the filing fee for a civil action was increased to \$350.00. Plaintiff filed his complaint prior to April 9, 2006. Consequently, the \$250.00 filing fee applied to his action.

Costs, Certification Regarding Trust Fund Account, a current Certification/Business Manager's Account Statement, and a statement of Trust Fund Account activity (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint). The Deficiency Order notified Plaintiff that if he failed to pay the filing fee or submit the requested information within thirty days from the date of the Order, the complaint would be dismissed.

The time for submitting the required information has elapsed and Plaintiff has failed to correct the deficiency. Accordingly,

IT IS ORDERED that Plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE**.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copy to:
Jovan Chandre Payne, #368066
Southern Michigan Correctional Facility
4002 Cooper Street
Jackson, MI 49201